

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50709 of 2024

Arising Out of PS. Case No.-294 Year-2024 Thana- KHAJANCHI HAT District- Purnia

Sagar Virwani S/O Sri Jagdish Virwani @ Jagdish Kumar Virwani R/O
Village- Dharamganj, P.S- Kishanganj, Distt.- Kishanganj.

... .. Petitioner/s

Versus

1. The State Of Bihar Bihar
2. Dr. Chandrashekhar Azad S/O Sri Prabhu Narayan Azad R/O Mohallah- Jai Prakash Nagar, Yshoda Niwas Near Purnea Law Collage, Purnea, P.S- K.Hat, Distt.- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Amit Kumar Anand, Adv
For the Opposite Party/s :	Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner apprehends his arrest in connection with K. Hat P.S.Case No. 294 of 2024 dated 18.05.2024 instituted for the offence punishable under Sections 406 and 420 of the Indian Penal Code.

3. The prosecution case, in short, is that the marriage ceremony of the informant's daughter was organized by the petitioner @ Rs. 6,51,000/-. The petitioner also received advanced money of Rs, 4,60,000/- but on the date of marriage no arrangement was made by the petitioner. He also switched of his mobile. Then the informant managed the event by himself.



4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. It is submitted that as per earlier agreement, the event was allotted to the petitioner on the occasion of marriage ceremony of informant's daughter. It is submitted by learned counsel for the petitioner that as per oral agreement other functions like Haldi, Mehndi and Sangeet at the house of the informant was not covered in oral agreement and whatever money was given that was spent during the ceremony and the petitioner asked for more money for the work but the informant had refused to pay the extra money. On the perusal of the FIR, Rs. 1,51,000/- was given to the petitioner for the said work and oral agreement for the said event was Rs. 6,51,000/-. It is apparent from the FIR that remaining amount has not been paid to the petitioner. It is further submitted that nature of dispute is purely civil in nature. The petitioner has one criminal antecedent.

5. Learned A.P.P for the State has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of the learned counsel for the parties, in the event of arrest/ surrender of the petitioner within a period of six weeks from today, in connection with K.Hat P.S.Case No.



294 of 2024, he will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea, subject to condition as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Khatim Reza, J)

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